

**PUBLIC SAFETY
AND
LEGAL ADMINISTRATION COMMITTEE**

MINUTES

JUNE 29, 2010

The regularly scheduled meeting of the Public Safety and Legal Administration Committee was held on **Tuesday, June 29, 2010 at 3:30 p.m., in Committee Room #2**. The following members were present:

**The Honorable Ivory L. Young, Jr., Chair
The Honorable C. T. Martin
The Honorable Yolanda Adrean
The Honorable Keisha Lance Bottoms
The Honorable Joyce Sheperd
The Honorable Natalyn M. Archibong**

The following member was absent:

The Honorable H. Lamar Willis, Vice-Chair

Others present at the meeting were: Acting City Attorney Peter Andrews, Jerry Deloach, Lem Ward, Dianne Mitchell and Amber Robinson, Law Department; Deputy Chiefs Shawn Jones, Peter Andresen and Calvin Moss, Director Malachi Hull, Police Department; Peter Aman, COO, David Bennett and Katrina Parks, Mayor's Office; Cristina Beamud, Atlanta Citizen Review Board; media, public and council staff.

Chairman Young called the meeting to order at 3:30 p.m. after declaring a quorum present. He then proceeded with the following order of business.

A. ADOPTION OF MINUTES - ADOPTED

B. APPROVAL OF MINUTES - APPROVED

CONSENT

C. RESOLUTIONS

Claims with favorable recommendations:

10-R-1186 (1) Claim of **Nakisha Brunson, through her attorney, David Kim**, for damages alleged to have been sustained as a result of a trip and fall in an uncovered water meter on January 6, 2009 at 573 Mary Street. **\$18,000.00**

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RESOLUTIONS (CONT'D)

Claims with favorable recommendations:

- 10-R-1187 (2) Claim of **Larry Singleton, through his attorney, C. Jeffrey Kaufman**, for damages alleged to have been sustained as a result of an automobile accident on October 1, 2009 at 30 North Avenue, NE. **\$7,000.00**
- 10-R-1188 (3) Claim of **Willie Harris, as parent and guardian of Jalyn Harris, a minor child, through their attorney, Darrell L. Burrow**, for damages alleged to have been sustained as a result of a vehicular accident on August 5, 2009 at McDaniel Street and Ralph David Abernathy Boulevard. **\$2,500.00**
- 10-R-1189 (4) Claim of **Gregory Barton, through his attorney, Darrell L. Burrow**, for damages alleged to have been sustained as a result of a vehicular accident on August 5, 2009 at McDaniel Street and Ralph David Abernathy Boulevard. **\$3,000.00**
- 10-R-1190 (5) Claim of **Linda L. Mason**, for vehicular damages alleged to have been sustained from driving over a pothole on December 19, 2009 at Fayetteville Road and Old Confederate Avenue. **\$830.16**
- 10-R-1191 (6) Claim of **Micah S. Rosen**, for vehicular damages alleged to have been sustained after driving over a construction site that was left open and in an unsafe manner of February 23, 2010 at Piedmont Avenue, NE and Westminster Drive, NE. **\$1,415.70**
- 10-R-1192 (7) Claim of **Eleanor McCoy**, for property damages alleged to have been sustained after driving over a construction site that was left in an unsafe manner on March 10, 2010 at 3099 Panther Trail. **\$716.58**
- 10-R-1193 (8) Claim of **James E. McKinney**, for property damages alleged to have been sustained when a driveway was broken during backyard garbage services at 765 Shorter Terrace, NW on October 1, 2009. **\$2,650.00**

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RESOLUTIONS (CONT'D)

Claims with favorable recommendations:

- 10-R-1194 (9) Claim of **Thelma B. Martin**, for property damages alleged to have been sustained from a vehicular accident on August 27, 2009 at 2663 Washington Street, NW. **\$800.00**
- 10-R-1195 (10) Claim of **Galina Teplitskaya, through her attorney, Jonathan P. Schopp, Esq., Foy & Associates**, for bodily injuries alleged to have been sustained from an automobile accident on March 2, 2010 at Highland Avenue, NE and Boulevard, NE. **\$3,750.00**
- 10-R-1196 (11) Claim of **Brad Andersen and Willett Imports/South, Inc., DBA Willett Honda South, through their attorney, Graham G. McMurray**, for damages alleged to have been sustained as a result of an automobile accident on November 14, 2009 at Cheshire Bridge Road, NE and Piedmont Road, NE. **\$741.77**
- 10-R-1222 (12) Claim of **Willie Harris, through his attorney, Darrell L. Burrow**, for damages alleged to have been sustained as a result of a vehicular accident on August 5, 2009 at McDaniel Street and Ralph David Abernathy Boulevard. **\$3,800.00**
- 10-R-1223 (13) Claim of **Yevgeniv Zolotarev, through his attorney, Jonathan P. Schopp, Esq., Foy & Associates**, for bodily injuries alleged to have been sustained from an automobile accident on March 2, 2010 at Highland Avenue, NE and Boulevard, NE. **\$3,750.00**
- 10-R-1224 (14) Claim of **Amy Canady**, for property damages alleged to have been sustained from an automobile accident on April 30, 2010 at Cherokee Avenue and Kendrick Avenue. **\$636.05**

Claims with unfavorable recommendations:

- 10-R-1197 (15) Claim of **Eric Holt**, for damages alleged to have been sustained when a black bag was stolen on November 16, 2008 at 8700 Spine Road, Hartsfield-Jackson Atlanta International Airport.

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RESOLUTIONS (CONT'D)

Claims with unfavorable recommendations:

- 10-R-1198 (16) Claim of **Cynthia Lowe, through her attorney, Steven Nicholas**, for bodily injuries alleged to have been sustained from a slip-and-fall incident on the sidewalk on November 25, 2009 at Hartsfield-Jackson Atlanta International Airport, 8700 Spine Road.
- 10-R-1199 (17) Claim of **Angela Howard, through her attorney, Christopher J. Adams, Esq.**, for bodily injuries alleged to have been sustained from an automobile accident on March 4, 2010 at 6000 South Terminal Parkway.
(Councilmember Archibong made a motion to approve Items C1-C17)

FAVORABLE

D. ORDINANCE FOR FIRST READING

- 10-O-1214 (1) An Ordinance by Public Safety and Legal Administration Committee amending the 2010 (Intergovernmental Grant Fund) Budget, Department of Police by deducting from anticipations and appropriations the amount of \$30,385.00 due to modifications in grant funds from the White House Office of National Drug Control Policy ("White House") for the continuation of the High Intensity Drug Trafficking Area ("HIDTA") Task Force and continued disruption of Drug Trafficking Organizations; and for other purposes.

TO BE REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE

REGULAR

E. RESOLUTION

- 10-R-1219 (1) A Resolution by Public Safety and Legal Administration Committee authorizing the settlement of all claims against the City of Atlanta in the case of **City of Atlanta v. Sharon A. Pauli, et al.**, Fulton County Superior Court, Civil Action File No. 2009-CV-164386, in an amount not to exceed \$25,000.00 related to the condemnation for certain sewer easement areas on property located in Land Lot 59 of the 17th District of Fulton County, Georgia, said property having the address of 2573 Birchwood Drive, Atlanta, GA, owned by Sharon A. Pauli; that all monetary settlement amounts be charged to and paid from the Fund, Department Organization and Account Numbers listed; and for other purposes.
(Councilmember Martin made a motion to approve.)

FAVORABLE

F. PAPERS HELD IN COMMITTEE

- 10-R-0132 (1) A Resolution by Councilmember Michael J. Bond directing the City of Atlanta to apologize to the patrons and employees of the Atlanta Eagle for the alleged violations of Human and Civil Rights suffered as a result of a police raid carried out on September 10, 2009; and for other purposes. **(Held 1/12/10 for further discussion.)**
- 10-R-0137 (2) A Resolution by Councilmembers Natalyn M. Archibong and C. T. Martin requesting that City Council authorize a Forensic Audit should be conducted as a result of the findings and recommendations from the Audit Report of the Public Safety Facilities Construction and the Sale of City Hall East; and for other purposes. **(Held 1/12/10 for a Joint Work Session with Finance/Executive Committee and Committee on Council) (Work Session held 2/3/10)**

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PAPERS HELD IN COMMITTEE (CONT'D)

- 10-O-0397 (3) An Ordinance by Councilmember H. Lamar Willis **as substituted by Public Safety and Legal Administration Committee** amending Section 162-227 and Section 162-232 of the City of Atlanta Code of Ordinances so as to establish fees for the administrative costs associated with nonconsensual motor vehicle towing; and for other purposes. **(Public Hearing held 4/27/10) (Held 4/27/10 for further evaluation and review.)**
- 10-O-0399 (4) An Ordinance by Councilmember Ivory L. Young, Jr. to amend Article XXIII, ("Vending on Public Property") of Chapter 30, ("Businesses"), Section 30-1436 ("Disabled Veterans"), of the Code of Ordinances of the City of Atlanta, Georgia, so as to expressly exempt Disabled Veterans from participation in the Public Vending Management Program; and for other purposes. **(Held 2/23/10 for further review.)**
- 10-R-0727 (5) A Resolution by Public Safety and Legal Administration Committee authorizing the Mayor to enter into a Maintenance Agreement with Courtview Justice Solutions, pursuant to FC-6004007843, Automated Court Case Management System, on behalf of the Municipal Court of Atlanta for a period of one (1) year in FY11, in an amount not to exceed \$155,456.00; all costs to be charged to: Fund, Department, Account, and Function Activity: 1001 (General Fund), 190101 (Municipal Court Operations), 5212001 (Consultant Professional Services), 2650000 (Municipal Courts); and for other purposes. **(Held 4/27/10 for a Work Session)**
- 10-O-0728 (6) An Ordinance by Public Safety and Legal Administration Committee to amend Chapter 30, Article VIII, of the City of Atlanta Code of Ordinances to clearly distinguish between legitimate Escorts Holding Permits issued by the City of Atlanta under its police powers, and persons who perform Criminal Acts as determined by State Law; and for other purposes. **(Held 5/11/10 for further review.)**

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PAPERS HELD IN COMMITTEE (CONT'D)

- 10-O-0729 (7) A **Substitute** Ordinance by Public Safety and Legal Administration Committee amending Chapter 78, Article III, Section 78-57, Subsection (b), of the Code of Ordinances of the City of Atlanta, on behalf of the City of Atlanta Fire Rescue Department, for the purpose of increasing existing Fire Inspection Fees, Fire Plan Review Fees and Fire Permit Fees; and for other purposes. **(Public Hearing held 6/1/10) (Held 6/1/10)**
- 10-R-0855 (8) Claim of **Ron Tusso**, for damages alleged to have been sustained as a result of a sewer backup on November 10, 2009 at 1850 Memorial Drive. **(Held 5/11/10 for further review by the Law Department)**
- 10-O-1173 (9) An Ordinance by Councilmembers Ivory L. Young, Jr. and C. T. Martin imposing a Ninety (90) Day Moratorium on the City's Public Property Vending Program; to create a subcommittee to study and review the operation of the Public Property Vending Program; to waive conflicting ordinances; and for other purposes.
(Councilmember Lance Bottoms made a motion to forward without recommendation on condition.)

FORWARDED WITHOUT RECOMMENDATION ON
CONDITION (3 YEAS) YOUNG, ADREAN, LANCE
BOTTOMS (2 NAYS) ARCHIBONG, MARTIN

G. EXECUTIVE SESSION

Quarterly Litigation and Claims Report - Jerry Deloach.

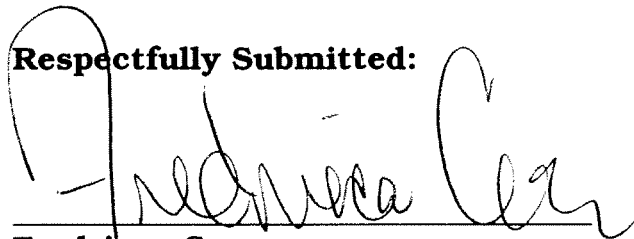
H. REQUESTED AND FOLLOW-UP ITEM

1. The Police Department will present to the Public Safety and Legal Administration Committee, a Zone and Beat Realignment Plan at the July 27, 2010 meeting.

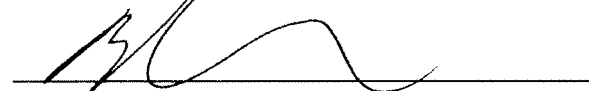
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There being no further business to come before the Committee, the meeting was adjourned at 5:14 p.m.

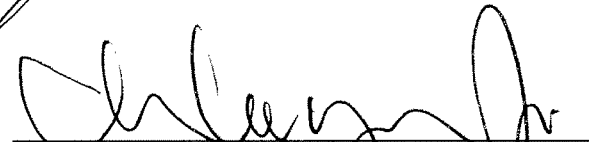
Respectfully Submitted:



Fredrica Cooper
Legislative Assistant



Bernard Thomas
Research and Policy Analyst



The Honorable Ivory L. Young, Jr., Chair
Public Safety and Legal Administration Committee